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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 In re DYNAMIC RANDOM ACCESS  
MEMORY (DRAM) ANTITRUST  
8 LITIGATION,

9

This Document Relates to:

10 THE STATE OF CALIFORNIA, ET AL.,

11 Plaintiffs,

12 v.

13 INFINEON TECHNOLOGIES AG, ET AL.,

14 Defendants.

15 STATE OF NEW YORK,

16 Plaintiff,

17 v.

18 MICRON TECHNOLOGY, INC., ET AL.,

19 Defendants.

Master File No. M-02-01486 PJH (JCS)  
MDL No. 1486

Case No. C-06-04333 PJH (JCS)

**ORDER FOLLOWING APRIL 25, 2008  
DISCOVERY CONFERENCE**

Case No. C-06-06436 PJH (JCS)

20 The Court held a further discovery conference on April 25, 2008. The following counsel  
21 appeared: Emilio Varanini (State of California), Timothy Nord (State of Illinois), Lizabeth Leeds  
22 (State of Florida), Eli Friedman (State of Florida), Nancy Bonnell (State of Arizona), Richard  
23 Schwartz (State of New York), Steven Bergman (Hynix), Joshua Hess (Micron), Gabriel Rubin  
24 (Elpida), Eva Chang (NEC Electronics Amercia), Jane Chang (Hynix), David Brownstein (Mosel),  
25 and Na'll Benjamin (Nanya).

**United States District Court**  
For the Northern District of California

1        For the reasons stated on the record and good cause appearing, IT IS HEREBY ORDERED  
2 as follows:

- 3        1. In response to Interrogatory Nos. 20 and 21 propounded by Defendants, Plaintiff  
4           States with central purchasing agencies shall identify (in addition to the other  
5           information disclosed), with respect to those central purchasing agencies, specific  
6           steps taken to preserve documents relevant to this case, and the dates on which those  
7           steps were taken. In responding to Interrogatory Nos. 20 and 21, Plaintiffs shall  
8           conduct a diligent investigation, and verifications attesting to this diligence shall be  
9           provided. Those states with central purchasing agencies that have identified written  
10          document retention policies during the relevant period shall provide copies of those  
11          document retention policies to Defendants.
- 12        2. With respect to discovery by Defendants on New York direct assigned claims, the  
13          parties shall jointly propose a discovery plan in advance of the next discovery  
14          conference in this case.
- 15        3. The parties have raised an issue with respect to the number of documents collected  
16          from the entities sampled during Plaintiffs' damages survey. In the future, Plaintiffs  
17          shall collect from the surveyed entities all of the documents that the surveyed entities  
18          collect and use to fill out the questionnaires in Plaintiffs' damages survey.  
19          Approximately 100 entities have already filled out Phase 2 of the survey, and as a  
20          result have already collected and logged information from various documents. With  
21          respect to these entities, Plaintiff States shall inquire as to whether those entities have  
22          segregated, and still retain in a segregated location, the documents so collected. If  
23          they have been segregated and retained, Plaintiff States shall request production of all  
24          of the collected documents. If they have not been so segregated and retained,  
25          Plaintiff States shall inquire as to the feasibility of re-collecting all of the documents  
26          used to fill out Phase 2 of the survey and report to the Court at the next discovery  
27          conference.

1       4. A further discovery conference is scheduled for **June 6, 2008**. A joint updated  
2                   discovery statement shall be filed by **May 30, 2008, at 1:30 p.m.**

3                   IT IS SO ORDERED.

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5                   Dated: April 30, 2008

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7                   JOSEPH C. SPERO  
8                   United States Magistrate Judge